

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Oct 17, 2023**

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

SHAWN C.,<sup>1</sup>

Plaintiff,

v.

KILOLO KIJAKAZI, Acting  
Commissioner of Social Security,

Defendant.

No. 1:23-cv-03119-EFS

**ORDER GRANTING THE PARTIES'  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C.  
§ 405(g)**

On October 17, 2023, the parties filed a Stipulated Motion for Remand. The parties agree that the matter should be reversed and remanded to the Commissioner of Social Security pursuant to sentence four of 42 U.S.C. § 405(g) for further administrative proceedings.

Consistent with the parties' agreement, **IT IS HEREBY ORDERED:**

1. The parties' Stipulated Motion to Remand, **ECF No. 8**, is  
**GRANTED.**

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<sup>1</sup> For privacy reasons, the Court refers to every social security plaintiff by first name and last initial or by "Plaintiff." See LCivR 5.2(c).

2. This matter is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand::

- the Appeals Council is to instruct the ALJ to assign the matter to a different ALJ who will re-evaluate the medical opinion evidence and the explain the weight given each.
- As appropriate, the ALJ may request the treating and nontreating sources provide additional evidence and/or further clarification of the opinions and medical source statements about what Plaintiff can still do despite the impairments (20 CFR §§ 404.1520b and 416.920b).
- The ALJ shall further evaluate Plaintiff's alleged symptoms and provide rationale in accordance with the disability regulations pertaining to evaluation of symptoms (20 CFR §§ 404.1529 and 416.929).
- The ALJ shall offer Plaintiff the opportunity for a hearing; take further action to complete the administrative record; and issue a new decision.

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1           3.       The Clerk's Office shall enter **JUDGMENT** in favor of Plaintiff and  
2                   **CLOSE** the case.

3           **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order  
4 and provide copies to all counsel.

5           **DATED** this 17<sup>th</sup> day of October 2023.

6                                   

7                                   EDWARD F. SHEA  
8                                   Senior United States District Judge